

RESOLUTION NO. 2021-57

BY:

A RESOLUTION to call upon the Cleveland Browns organization to fully remove FirstEnergy's name and logo from the publicly financed and owned stadium and to call upon FirstEnergy to voluntarily relinquish its naming rights to the stadium.

WHEREAS, beginning in 1990, Cuyahoga County voters approved the assessment of a "Sin Tax" on all alcohol and cigarette sales throughout the County for the purpose of raising funds to support the construction of professional sports facilities ultimately located in Cleveland, Ohio (the "Sports Facilities");

WHEREAS, the Sin Tax assesses a fee to all persons purchasing alcohol or cigarettes throughout Cuyahoga County and the funds are earmarked for construction and maintenance of the Sports Facilities;

WHEREAS, Cuyahoga County voters agreed to extend the Sin Tax on two additional occasions (in 1995 and 2014) and Cuyahoga County will continue to assess a charge to persons purchasing these items through the year 2035;

WHEREAS, these same Sin Tax funds were specifically used to assist the construction and maintenance of the football stadium originally named and commonly referred to as "Cleveland Browns Stadium" which opened in 1999;

WHEREAS, revenue generated from the sale of stadium naming rights was originally intended to assist in paying down the public debt on the Sports Facilities, but this intended use has not taken place;

WHEREAS, the Cleveland Browns organization sold the naming rights to the football stadium to FirstEnergy Corporation in 2013 for a reported \$107 million;

WHEREAS, FirstEnergy Corporation is a public utility regulated under the laws of the state of Ohio and possesses a near monopoly on the sale of electricity to consumers throughout Northeast Ohio and has no reasonable basis to spend lavishly on amenities such as naming rights and luxury boxes at the Sports Facilities;

WHEREAS, since FirstEnergy Corporation acquired the rights to change the name of the stadium to "FirstEnergy Stadium" it has repeatedly sought funding for its company operations from Ohio ratepayers and has been granted state subsidies and guaranteed profits, resulting in increased charges on the monthly electric bills of Ohio consumers across the region and state;

WHEREAS, in 2020, the U.S. Attorney for the Southern District Ohio charged several individuals with felonies related to the passage of "House Bill 6," a bailout bill for FirstEnergy, which provided additional subsidies to FirstEnergy after investigators discovered that FirstEnergy spent millions of dollars influencing state legislators to pass this legislation;

WHEREAS, in July 2021, FirstEnergy signed a "deferred prosecution agreement" with the Federal Government in which FirstEnergy admitted its role in a wide-ranging criminal

conspiracy and bribery of public officials, all in an effort to illicitly secure the state subsidies provided by House Bill 6;

WHEREAS, despite calls from State Legislators to remove its name from Cleveland Browns Stadium, FirstEnergy has failed to take steps to fully acknowledge its criminal behavior by continuing to market itself using our tax-payer funded stadium which unintentionally signifies tacit community support for a criminal enterprise and association with what the U.S. Attorney described as "the largest bribery, money laundering scheme ever perpetrated against the people of the State of Ohio"; now, therefore

BE IT RESOLVED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. The City hereby calls upon the Cleveland Browns organization to take steps to fully remove FirstEnergy's name and logo from the publicly financed and owned stadium.

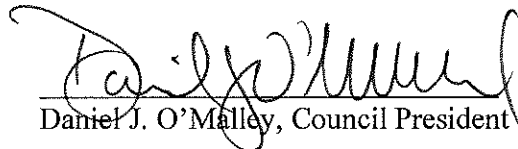
Section 2. The City hereby calls upon FirstEnergy to voluntarily relinquish its naming rights to the publicly owned stadium and to forego expending its resources on future naming rights to Sports Facilities.

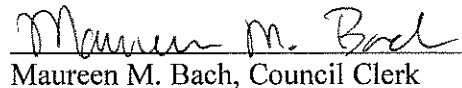
Section 3. That the City will withhold all support for the future extension of the Sin Tax until this association between our community and FirstEnergy's admitted actions to conspire with public officials and other individuals and entities to pay millions of dollars to public officials in exchange for specific official action for FirstEnergy Corp.'s benefit is removed from the publicly owned Sports Facility formerly known as Cleveland Browns Stadium.

Section 4. That the Clerk of Council is directed to send a copy of this resolution to the Cleveland Browns, FirstEnergy, and the respective members of their governing boards.

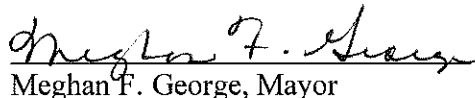
Section 5. It is found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were passed in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such actions were in meetings open to the public and in compliance with legal requirements.

Adopted: 12/6/2021


Daniel J. O'Malley, Council President


Maureen M. Bach, Council Clerk

Approved: 12/7/21


Meghan F. George, Mayor